IDEAS

The Washington Post
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The Chicago Tribune
NEWSDAY p. 1
Date 30 OCT 1988

Too Many Secrets to Keep

Only by cutting the quantity can we guard our real secrets and make democracy work.

By Stansfield Turner

FOR 21 MONTHS, I battled Central Intelligence Agency officials who wanted to block me from writing about whether the government had used satellites to photograph subjects unconnected to arms control agreements, a topic discussed in open court by CIA officials. That was an unwarranted infringement of my constitutional right of freedom of speech.

CIA officials stopped me from quoting in my book, "Secrecy and Democracy," an unclassified speech that I gave while I was director of central intelligence, a speech anyone would have been able to obtain under the Freedom of Information Act. If someone went to the trouble, he or she would never guess what's in it that the CIA believes is classified. It is open information. They had also forbidden me to mention the satellite issue in the book, which was published three months before the court trial.

Every time our government designates a piece of information secret, that diminishes our democracy. Every time someone leaks a true government secret, that weakens our ability to sustain our democracy.

The withholding of information from the public is a serious matter. It is especially serious because we are the most open society in the world. We should, though, note this quotation from a recent article by an official of the Soviet secret intelligence service, the KGB. This is hardly someone we would expect to be excoriating excessive secrecy:

"The preservation of the secrecy cult in political practice . . . is a chance for power to be used irresponsibly and controllably in the narrow interests of small groups of people." The author goes on to claim that excessive secrecy in the Soviet Union produced abuses of power, crippled scholarship and left citizens ignorant of basic information about their own country.

The last of these charges — that excessive secrecy prevents the public from being as well informed as it should be — is, to me, the most serious. That is because the heart of our democracy is a well informed citizenry who participate in the decisions of their government.

One of the other penalties of undue secrecy that the KGB cites is the abuse of power. We have just recently seen in our own country how secrecy could lead to that. Lt. Col. Oliver North used the supposed secrecy of some of his activities to shield them from the secretary of state and others, and to lie to the Congress and others. No corporation can prosper with executives who lie to and conceal information from each other, nor can our government operate effectively without trust among its executives and without the proper use of the mechanisms of government. Secrecy tempts people, like North, to think they can get away with unethical and illegal acts. They believe they will not be held fully accountable if only a few people know what they are doing.

If excessive secrecy can damage the public interest, so, too, can the loss of secrets. And loss through deliberate and inadvertent leaks, let alone espionage, has become commonplace. We are already at a disadvantage because the basic openness of our society gives away all manner of information about our technologies, our plans and our management techniques. We can lose much of the advantage we have in competing with the rest of the world

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militarily, politically and economically if our secrets are revealed. Jobs can be lost to foreign competition. And we can waste taxpayers' money. Imagine, for instance, that the techniques of one of our latest intelligence satellites is compromised by a leak. We would likely have wasted a lot of money and have to spend more to keep ahead in some other way.

The issue is, can we reduce the loss of secrets through leaks without incurring undue penalties of excessive secrecy? We cannot with several of the approaches to stopping leaks that have been used in recent years. One of these has been to classify almost everything in sight. The policy on secrets has been that if you cannot prove a piece of information is unclassified, it is automatically classified. That is in stark contrast with the previous theory that put the onus on proving that information is classified.

The massive overclassification of recent years has led to a self-defeating cycle. We must give more people access to secrets for them to do their jobs, and we cannot enforce established procedures for handling classified documents because the number of documents is so great that the effort is overwhelming. Moreover, with excessive classification individuals do not respect the secret labels. When they read supposedly classified material in the morning newspaper, even the most conscientious are likely to find themselves mixing up classified and unclassified data in open conversations.

Another faulty approach of recent years has been extending the requirement for prepublication review of materials written by retired employees who had high security clearances to hundreds of thousands of employees of the executive branch. This is over and above the requirement that the CIA and National Security Agency, two highly sensitive organizations, have had for many years. My own experience with prepublication review in the CIA has shown the potential for the serious abuse of power by the individuals doing the censoring.

The CIA takes an inordinate amount of time in clearing an author's work. Its censors believe they are doing well if they take only a week or two for each chapter. If the author then presents arguments as to why some deletions were unnecessary, it takes several weeks more to resolve that. They have no idea how disruptive such delays can be to an author.

Moreover, there is no check on the arbitrariness of the CIA's censorship process. Giving bureaucrats that kind of power over hundreds of thousands of public servants is dangerous. It could result in a reduced flow of unclassified information to Americans that more than offsets any secrets that may be preserved. And just think of the size of the new bureaucracy that would have to be established!

There are more useful actions that the government could take to prevent leaks. All would be painful. All would be costly. There would be no guarantee they would work, but in my opinion the situation demands a strenuous effort.

- The first action would be to reduce drastically the amount of classified data. People would automatically be more serious about guarding true secrets, and we could reduce the number of government employes holding clearances. It's been reported that the number of clearances has been cut from about 4 million to 3 million. That is very good if there are really 1 million fewer people who have security clearances, not just 1 million whose clearances have been reduced from one level to another. But there must be even greater reductions. As director of central intelligence, I oversaw a 25 percent reduction in the number of clearances held by commercial contractors. And, not one contractor complained that the reduction would hurt his efforts. I also successfully limited the number of "code-word" — higher than "top-secret" — clearances for the CIA for several years.

- Second, we should reshape the several systems of controls we have over classified data. The current system is unworkable today, not only because of the volume of classified documents, but because there are so many differing procedures. Too many offices and agencies have the right to establish their own systems of classification known as "code words," and with them procedures for control. Code words are created more for purposes of bureaucratic power games than for keeping secrets. I have seen one military service hide data from the others in this manner.

- A third approach to preventing leaks would be better physical controls over classified materials. These could include developing a paper that registers an attempt to xerox it; inserting metal strips in paper and documents that would register in metal detectors, just as do many public libraries; instituting inspections of people going in and out of buildings where classified data is handled. We need to get tough about enforcing the established controls over documents.

- Finally, we could establish restrictions on talking with reporters. This would be highly controversial, since most media people believe it is their constitutional right to talk to anyone. That is certainly not the case. When we require prepublication reviews, the government is inhibiting what employees or former employees can say to the world. The government can also require, as a condition of obtaining high security clearances, that an individual obtain permission to have interviews with the media and that he or she report impromptu conversations with media people. Far more classified data leaks out this way than from the writings of government employees or former employees.

Each of these four remedial steps would involve real costs, but they would test the seriousness of our determination and our efforts to contain leaks without suffering today's penalties of attempting excessive secrecy.

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